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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR    | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|-------------------------|---------------------|------------------|
| 09/763,706  | 02/23/2001  | Klaus David Gradischnig | SEIM0020U/US        | 9182             |
| 31518   | 7590        | 09/08/2004              | EXAMINER            |                  |
| NEIFELD IP LAW, PC<br>2001 JEFFERSON DAVIS HIGHWAY<br>ARLINGTON, VA 22202 |             |                         | TON, ANTHONY T      |                  |
|   |             |                         | ART UNIT            | PAPER NUMBER     |
|   |             |                         | 2661                |                  |

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/763,706

Applicant(s)

GRADISCHNIG, KLAUS DAVID

Examiner

Anthony T Ton

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 11-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 February 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
PHIRIN SAM  
PRIMARY EXAMINER

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>02/23/2001</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character “Routing Table for **NID =2**” in **Fig.2** has been used to designate **NID =1**, **NID =2**, **NID =3**, and **NID =4** of the internal networks D1, D2, E+, and E2, respectively. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### *Claim Objections*

2. **Claims 13-15** are objected to because of the following informalities:
- a) Term “**The signaling system**” in line 1 of these claims is improper.
- Examiner suggests changing this term to “**The method**”.
- Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:
- The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

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4. **Claims 14 and 15-20** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a) **Claim 14** recites the limitations “**the cited new routing**” and “**the system**” in line 3. There are insufficient antecedent bases for these limitations in the claim.

b) **Claim 19** recites the limitation “**the cited new routing**” in line 2. There is insufficient antecedent basis for this limitation in the claim.

c) **Claims 16-20** are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: the limitation “**method for routing**” in line 1 of the preamble of these claims is meets and bounds since there is no any relationship for such routing.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 11-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Michelson** (US Patent No. **5,481,673**) (an **IDS** provided by the Applicants) in view of **Khosravi-Sichani et al.** (US Patent No. **5,983,217**) hereinafter referred to as **Khosravi**.

a) **In Regarding to Claim 11: Michelson disclosed** a method for operating a signaling system of a signaling point, the method comprising the steps of:

determining for a received signaling message on the basis of a network identifier, the identity of a network to which the signaling message belongs (*see col.4 lines 13-29*);

taking from a routing table belonging to the network identity, items of information for routing of the signaling message, wherein the signaling system accesses the routing table using the signaling point code of the signaling message (*see col.4 line 62 – col.5 line 7; and col.3 lines 48-63*);and

determining on the basis of the type of routing information taken from the routing table, whether an item of routing information is present indicating a link or linkset one of for forwarding the signaling message, or for denoting a network identifier (*see col.3 lines 35-56; and col.5 lines 3-7*).

**Michelson failed to explicitly disclose** supplying the signaling message for the routing, if the item of routing information taken from the routing table is a network identifier.

**Khosravi disclosed** such supplying the signaling message for the routing, if the item of routing information taken from the routing table is a network identifier (*see Fig.2: 204, and col.3 line 9 – col.4 line 44*).

At the time of the invention, **it would be obvious** to a person of ordinary skill in the art to combine such supplying the signaling message for the routing, if the item of routing information taken from the routing table is a network identifier, as taught by Khosravi with Michelson, so that a signaling message such as a message signal unit (MSU) may travel across a network through certain signal transfer points (STP) to reach an ultimate destination. **The motivation** for

doing so would have been to provide reliable methods and networks that can evenly loadshare queries amongst available databases containing the same software and data (*see Khosravi, col.1 lines 51-54*). Therefore, it would have been obvious to combine Khosravi with Michelson in the invention as specified in the claim.

**b) In Regarding to Claim 12: Michelson further disclosed** the method according to claim 11, further comprising the step of:

defining the network identifier of a signaling message by the link or linkset via which the signaling message was received (*see Fig.2: LS1-LS5*).

**c) In Regarding to Claim 13: Michelson further disclosed** the method according to claim 12, further comprising the step of:

indicating the network identifier of a signaling message in the signaling message itself (*see E-linkset in Fig.3 and col.8 lines 30-67: only one cluster route-set may exist for a cluster, one exists*).

**d) In Regarding to Claim 14: Michelson further disclosed** the method according to claim 13, further comprising the step of:

using a cited new routing to cause a system to switch signaling messages between two different signaling systems (*see col.8 line 62 – col.9 line 16*).

**e) In Regarding to Claim 15: Michelson further disclosed** the method according to claim 14, further comprising the step of:

using the cited new routing to cause the system to realize an interworking with other networks (*see col.5 line 8-18: intermediate nodes (hence, interworking nodes)*).

f) **In Regarding to Claims 16-20:** the claimed subject matters of these claims are similar to that of claims 11-15, respectively. Therefore, the rejections to the claims 11-15 would also apply to reject these claims.

7. **Claims 11-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Fikis et al.** (US Patent No. **6,167,129**) in view of **Fleischet, III et al.** (US Patent No. **5,680,446**) hereinafter referred to as **Fikis** and **Fleischet**, respectively.

a) **In Regarding to Claim 11:** **Fikis disclosed** a method for operating a signaling system of a signaling point, the method comprising the steps of:

determining for a received signaling message on the basis of a network identifier, the identity of a network to which the signaling message belongs (*see Fig.5b: MSU 544*);

taking from a routing table belonging to the network identity, items of information for routing of the signaling message, wherein the signaling system accesses the routing table using the signaling point code of the signaling message (*see Fig.5b: the column of point code (considered as network identifier) in Routing Table 550; and col.9 lines 22-51*);

determining on the basis of the type of routing information taken from the routing table, whether an item of routing information is present indicating a link or linkset one of for forwarding the signaling message, or for denoting a network identifier (*see Fig.5b: the column of Link Set in Routing Table 550*); and

supplying the signaling message for the routing, if a linkset connection connected from the other network (*see Fig.5b: outgoing MSU; and col.12 lines 8-54*).

**Fikis failed to explicitly disclose** supplying the signaling message for the routing, if the item of routing information taken from the routing table is **a network identifier**.

**Fleischet disclosed** such supplying the signaling message for the routing, if the item of routing information taken from the routing table is **a network identifier** (*see col.19 lines 23-39: NPA-NXX Trunk Routing Table identifies each SSP of the private network (hence, network identifier)*)).

At the time of the invention, **it would be obvious** to a person of ordinary skill in the art to combine such supplying the signaling message for the routing, if the item of routing information taken from the routing table is a network identifier, as taught by Fleischet with Fikis, so that a signaling message such as a MSU may travel across a network through certain STPs to reach an ultimate destination. **The motivation** for doing so would have been to provide long distance calls terminating outside of the local service area of a communications network. Therefore, it would have been obvious to combine Fleischet with Fikis in the invention as specified in the claim.

**b) In Regarding to Claim 12: Fikis further disclosed** the method according to claim 11, further comprising the step of:

defining the network identifier of a signaling message by the link or linkset via which the signaling message was received (*see Fig.5b: Linkset D21 and point code 5-5-5*).

**c) In Regarding to Claim 13: Fikis further disclosed** the method according to claim 12, further comprising the step of:

indicating the network identifier of a signaling message in the signaling message itself (*see col.6 lines 14-17; and Fig.7*).



d) **In Regarding to Claim 14: Fikis further disclosed** the method according to claim 13, further comprising the step of:

using a cited new routing to cause a system to switch signaling messages between two different signaling systems (*see Figs.2 and 5b, and col.6 lines 29-51*).

e) **In Regarding to Claim 15: Fikis further disclosed** the method according to claim 14, further comprising the step of:

using the cited new routing to cause the system to realize an interworking with other networks (*see Fig.5b: Mediation STP 511 and Fig.2: STPs 204, 214, 210 and 211*).

f) **In Regarding to Claims 16-20:** the claimed subject matters of these claims are similar to that of claims 11-15, respectively. Therefore, the rejections to the claims 11-15 would also apply to reject these claims.

#### ***Examiner Information***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony T Ton whose telephone number is 571-272-3076. The examiner can normally be reached on M-F: 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ken Vanderpuye can be reached on 571-272-3078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3076.

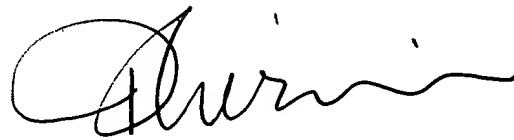
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ATT

9/01/04

A handwritten signature in black ink, appearing to read 'Phirin Sam', with a stylized, flowing script.

**PHIRIN SAM  
PRIMARY EXAMINER**